

confirmation 3/17

POWERS KIRN, LLC  
By: Jill Manuel-Coughlin, Esquire  
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Attorney for Movant/ 19-0774

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Zakia V. Johnson  Debtor  U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST Movant  v. Zakia V. Johnson and William C. Miller, Esquire Respondents	Chapter 13 Proceeding  19-15681 ELF
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**STIPULATION GRANTING RELIEF FROM THE AUTOMATIC STAY**

WHEREAS, the parties hereto and their respective counsel, have agreed as to the disposition of the Motion for Relief from the Automatic Stay filed by Jill Manuel-Coughlin, Esquire on behalf of secured creditor, U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST ("Movant"). Servicing of Movant's Loan was transferred from Wells Fargo to Fay Servicing, LLC which is the reason the Movant Name on this Stipulation differs from that listed on the Motion for Relief filed 2/19/2020 at Docket# 26

NOW, THEREFORE, intending to be legally bound, the parties hereto, herewith stipulate as follows:

WHEREAS, on 3/4/2020, Debtor filed an Amended Chapter 13 Plan. The Amended Plan proposes to surrender the property located at 89 Bartram Avenue, Lansdowne, PA 19050 ("property"); and

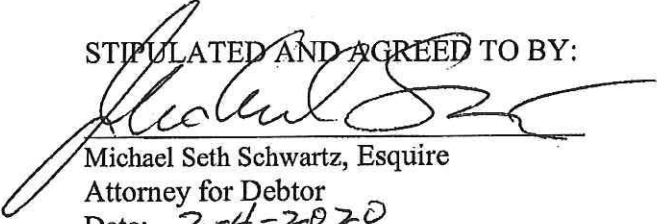
WHEREAS, to avoid the time and expense associated with a hearing on the Motion for Relief from Stay the parties are entering into this Stipulation which grants Movant Relief from the Automatic Stay.

NOW, THEREFORE, intending to be legally bound, the parties hereto, herewith stipulate as follows:

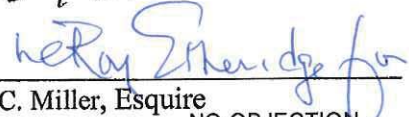
1. Movant holds a perfected, secured claim against the property.
2. Upon approval by the United States Bankruptcy Court of the within Stipulation, Debtor and Movant, agree to the following:
  - (a) The automatic stay of 11 U.S.C. §362(a) is hereby modified to permit, U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG ASSET TRUST and/or its successors and assigns to obtain In-Rem Relief to Foreclosure upon the property, and Eject if necessary.
  - (b) That the Order be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code.

- (c) That the 14 Day Stay described by Bankruptcy Rule 4001(a)(3) be waived.
- (d) Movant further requests that upon entry of an order granting relief from stay, it be exempted from further compliance with Fed. Rule Bankr. P. 3002.1 in the instant bankruptcy case.
- (e) The parties agree that a facsimile may be submitted to the Court as if it were an original.
- (f) The provisions of the Stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this Stipulation, including fees and costs, due under the terms of the contract and applicable law.

STIPULATED AND AGREED TO BY:

  
Michael Seth Schwartz, Esquire  
Attorney for Debtor  
Date: 3-4-2020

/s/ Jill Manuel-Coughlin, Esquire  
Jill Manuel-Coughlin, Esquire  
Attorney for Movant  
Date: 3/4/2020

  
William C. Miller, Esquire  
Trustee  
Date: 3/12/2020

NO OBJECTION  
\*without prejudice to any  
trustee rights and remedies

## ORDER

On this 17<sup>th</sup> day of March, 2020, approved by the Court.



United States Bankruptcy Judge  
Eric L. Frank